

JUN 07 2007

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISIONJAMES N. HATTEN, CLERK
By: *J. Hatten* Deputy ClerkJOYCE MARIE GRIGGS,
PLAINTIFF,CIVIL ACTION NO.
1:06-CV-3147-CAP

V.

AMERIQUEST MORTGAGE COMPANY,
DEFENDANT

MOTION TO REMAND AND STAY

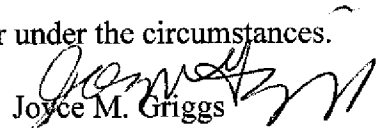
COMES NOW the Plaintiff in the above style case and states the following:

1. The above case was transferred from the Superior Court of Fulton County to the District Court by the Defendant on December 29, 2006.
2. The Superior Court Judge of Fulton County, Georgia had entered a stay in this action based on the fact that Plaintiff was on active duty with the U.S. Army.
4. Defendant's counsel had the case transferred from the Superior Court of Fulton County, Georgia knowing that a stay had been granted in that court.
5. Defendant's counsel was aware that Plaintiff was in Bagdad, Iraqi February-March, 2007 and could not defend this action.
6. Defendant's counsel proceeded with this action in violation of the Servicemembers Civil Relief Act.
7. Defendant's counsel filed Motions which Plaintiff was not able to respond to
8. The Superior Court of Fulton County is a proper forum for this action and this case should be remanded to said court.
9. Plaintiff's counsel in Superior Court is not licensed to practice in Federal Court.
10. Plaintiff is still on active duty in support of the War on Terrorism and is entitled to a stay pursuant to the Servicemembers Civil Relief Act.

WHEREFORE, Plaintiff requests the following relief:

- a. That the case be remanded to the Superior Court of Fulton County;

- b. That in the alternative this action be stayed due to Plaintiff's present military service.
- c. That Plaintiff be given an opportunity to respond to all of Defendant's Motions previously filed and ;
- d. Such other relief as the court deems just and proper under the circumstances.


Joyce M. Griggs
Pro Se

P.O. Box 4033
Sierra Vista, AZ 85636
(912) 596-7021

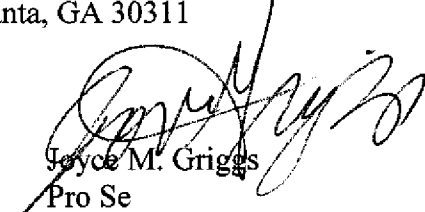
CERTIFICATE OF SERVICE

I CERTIFY THAT I HAVE THIS DAY MAILED A COPY OF THE SAME TO:

Attorney Kwende B. Jones
171 17th Street, NW, Suite 1100
Atlanta, GA 30363

Attorney Audrey Arrington
1456 Centre Villa Drive, SW
Atlanta, GA 30311

This 4th day of June, 2007.


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ORDER

The MOTION TO REMAND AND STAY having been read, considered and good
cause shown; SAID MOTION IS HEREBY GRANTED.

UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF GEORGIA